

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 4/7/2014

BOARD MEMBERS PRESENT: Brad Janoush - Chair
Darin D Krier
Douglas D Vollmer
Paul J. Morgan
Nancy Sommerwerck

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Eric Nelson, Board Prosecutor
Maria Brown, Technical Records Specialist

The meeting was called to order at 8:30 AM MDT by Brad Janoush.

APPROVAL OF MINUTES

The Board reviewed the 2/12/2014 and 2/25/2014 minutes. Ms. Sommerwerck made a motion to approve the minutes of 2/12/2014 and 2/25/2014. It was seconded by Mr. Krier. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the Board's Proposed Law change did pass and was signed by the Governor. It will go into effect on July 1, 2014.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of (\$17,353.24) as of 3/31/2014.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number REA-2014-5. Mr. Krier recused himself from discussion on case REA-2014-5. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Nelson presented a memorandum regarding case number REA-2014-6. After discussion, the Board gave recommendations for appropriate discipline.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Case number I-REA-2014-4. Mr. Janoush recused himself from discussion on case I-REA-2014-4. Mr. Vollmer made a motion to approve the Bureau's recommendation and authorize closure in case I-REA-2014-4 with an advisory letter. It was seconded by Mr. Krier. Motion carried.

Case number I-REA-2014-14. Mr. Krier recused himself from discussion on case I-REA-2014-14. Mr. Morgan made a motion to approve the Bureau's recommendation and authorize closure in case I-REA-2014-14. It was seconded by Ms. Sommerwerck. Motion carried.

PROBATION REPORT

Ms. Peel presented the probation report.

Ms. Sommerwerck addressed the Board regarding a respondent on the report. After discussion, the Board agreed that the respondent should remain on probation.

REQUEST FOR PAYMENT ARRANGEMENTS

Ms. Peel presented a request for payment arrangements for case number REA-2011-11. Mr. Vollmer made a motion to approve the payment arrangements in the amount of \$200.00 per month and direct staff to advise the respondent to finish their continuing education course as outlined in the stipulation and consent order. It was seconded by Mr. Morgan. Motion carried.

OLD BUSINESS

The Board reviewed the to do list. The Board directed Ms. Brown to condense the FAQ on compensation estimates and post it to the Board's website once it's reviewed by Mr. Ellsworth and the Board Chair. Mr. Krier agreed to draft an FAQ on the requirement for a licensee to respond to a Board request in a timely manner.

NEW BUSINESS

APPRAISER QUALIFICATIONS BOARD

The Board reviewed an AQB exposure draft on background checks. Ms. Brown presented a draft response, based on the Board's previous comments regarding background checks. Ms. Sommerwerck made a motion to approve the draft and directed Ms. Brown to send the final copy, signed by the Chair, to the AQB before the deadline. It was seconded by Mr. Vollmer. Motion carried.

APPRAISAL SUBCOMMITTEE

The Board reviewed the Proposed Federal Appraisal Management Company (AMC) Rules. The Board noted that the Proposed Rules were in draft form and had not yet been adopted. Once adopted, states will have up to four years to adopt standards set forth in the federal AMC requirements. There is a Legislative process that the Board is required to follow to propose law and rule changes. The Chair updated the Board on the Idaho AMC workgroup. The Board asked that an AMC update be added to its next agenda.

CORRESPONDENCE

The Board reviewed a letter from Craig Sutton asking the Board to add an inactive status for licensees like it is in Oregon, where he resides and is licensed. The Board directed Ms. Brown to respond that although it is interested in this issue, it would require a law change. The Board may consider this item in the future.

The Board reviewed a letter from Anthony Hays regarding a request for an extension on the time to pass his exam to upgrade his license. After discussion, the Board approved the request to add 12 additional months from the date of approval. The Board asked that proposed rule change on the timeframe to complete the exam be added to its next agenda.

The Board reviewed an e-mail from Bob Yanzuk regarding the American Disabilities Act (ADA) and the examination for licensure. The Board directed Ms. Brown to refer Mr. Yanzuk to the examination provider, Pearson Vue, for the answer.

The Board reviewed a letter from Paul Bull regarding a request for continuing education approval. The Board directed Ms. Brown to respond that the Board denied the request based on Rule 401.02.d.

The Board reviewed a letter from the educational provider McKissock regarding its online 2015 Supervisor-Trainee Courses that it's developing which will meet

the requirements established by the AQB and include specific jurisdictional requirements. The Board was pleased that McKissock was developing the courses and looked forward to its application for each course.

CONTINUING EDUCATION AUDIT

Ms. Brown presented the Board with the current continuing education audit status report. The report showed 100% compliance.

EXECUTIVE SESSION

Ms. Sommerwerck made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Vollmer. The vote was: Mr. Morgan, aye; Mr. Janoush, aye; Mr. Vollmer, aye; Mr. Krier, aye; and Ms. Sommerwerck, aye. Motion carried.

Ms. Sommerwerck made a motion to come out of executive session. It was seconded by Mr. Vollmer. The vote was: Mr. Morgan, aye; Mr. Janoush, aye; Mr. Vollmer, aye; Mr. Krier, aye; and Ms. Sommerwerck, aye. Motion carried.

APPLICATIONS

Mr. Morgan made a motion to approve the following for licensure by examination:

HUMBLE JACOB A LRA

It was seconded by Mr. Vollmer. Motion carried.

Mr. Morgan made a motion to approve the following for licensure by reciprocity:

WHEATLEY WILLIAM REX CGA

It was seconded by Mr. Vollmer. Motion carried.

Mr. Morgan made a motion to approve the following for a registered trainee permit:

QUINN KATIE LOREE

It was seconded by Mr. Vollmer. Motion carried.

Mr. Morgan made a motion to approve the following for a temporary permit:

CLOUGH RODNEY GERALD TCGA

It was seconded by Mr. Vollmer. Motion carried.

NEXT MEETING 6/9/2014

ADJOURNMENT

Mr. Vollmer made a motion to adjourn the meeting at 11:12 AM. It was seconded by Ms. Sommerwerck. Motion carried.